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ATTORNEYS FOR DEFENDANT
UNITED STATES OF AMERICA

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
HELENA DIVISION

COUNTY OF POWELL, a political subdivision of the State of Montana, Plaintiff, vs. UNITED STATES OF AMERICA, ¹ Defendants.	CV 22-21-H-SEH JOINT MOTION TO STAY PROCEEDING
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Plaintiff Powell County and Defendant United States of America hereby jointly move to stay this case as they explore settlement. “[A] district court has discretion to stay proceedings in its own court when appropriate.” *Am. Reliable*

¹ The caption is amended to reflect the proper party in interest. Fed. R. Civ. P. 21; *Sawtooth Mountain Ranch LLC v. United States*, 2020 WL 184576 (D. Idaho Jan. 13, 2020) (citing *Block v. North Dakota ex rel. Bd. of Univ. & Sch. Lands*, 461 U.S. 273, 286 (1983)).

Ins. Co. v. Lockard, 2018 WL 9618463, at *1 (D. Mont. Feb. 14, 2018) (citing *Dependable Hwy. Exp., Inc. v. Navigators Ins. Co.*, 498 F.3d 1059, 1066 (9th Cir. 2007); *Landis v. North American Co.*, 299 U.S. 248, 254 (1936)).

Here, in light of the parties' agreement to engage in settlement discussions, a stay of pre-trial deadlines is appropriate in order to avoid the expense of litigation, particularly given the parties' mutual goal of protecting taxpayer dollars. The parties request that the Court stay the case for three months, until April 27, 2023. If the parties reach a resolution prior to this date, the parties will file a stipulation of dismissal pursuant to Fed. R. Civ. P. 41(a)(1)(A)(ii). If they do not settle, the parties will file a report apprising the Court of the status of the case within one week of expiration of the stay.

DATED this 27th day of January, 2023.

JESSE A. LASLOVICH
United States Attorney

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